FOR PUBLICATION

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

United States of America, Plaintiff-Appellee,

v.

RODRIGO ALEJANDRO MORALES-PEREZ,

Defendant-Appellant.

No. 05-10115 D.C. No. CR-04-00094-JCM ORDER

Filed April 19, 2006

Before: Alfred T. Goodwin, Diarmuid F. O'Scannlain, and Richard C. Tallman, Circuit Judges.

ORDER

The panel opinion and Judge Tallman's dissent filed on February 22, 2006, are withdrawn. A substitute opinion will issue in due course. The petition for rehearing en banc is denied as moot without prejudice to renewal by either party following issuance of the new opinion.

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